

## REMARKS

Applicant respectfully requests reconsideration of this application as amended.

The Examiner is thanked for the indication of allowable subject matter.

By this amendment, indicated allowable claim 19 has been amended into independent form including the features of the base claim. It is therefore believed that claims 19-21 are in condition for allowance.

As discussed in accordance with an exemplary embodiment, the invention is characterized in that the respiratory information analysis device selects at least one output of at least one sensor in the chest region *and* the abdominal region based on the amplitude of output of these sensors, and the output of the selected sensors are used for analysis and the output of unselected sensor is not used for analysis.

The Office Action points out that Sackner discloses an ability to select a signal from plural signals from sensors and therefore Claims 12, 14 and 16-22 lack novelty.

Independent claim 12 recites, *inter alia*, the respiratory information analysis device selects at least one output of at least one sensor in the chest region and the abdominal region based on the amplitude of output of these sensors, and the output of the selected sensors is used for analysis and the output of unselected sensor is not used for analysis. Comparable features are recited in claim 16. Independent claim 22 recites, *inter alia*, outputting respiratory information data in accordance with the analyzed respiratory information, wherein the output of the selected sensors is used for analysis and the output of unselected sensor is not used for analysis, wherein the respiratory information measuring sensors are disposed at a perimeter of the chest and a perimeter of the abdominal in the sheet. New independent claim 23 recites, *inter alia*, wherein the respiratory information measuring sensors are disposed at a perimeter of the chest and a perimeter of the abdominal in the sheet, wherein electric resistance of the respiratory information measuring sensor varies with expansion and contraction of one of the length and cross-section of conductive member in response to the examinee's breathing, wherein the conductive member of the respiratory information measuring sensors are arranged at a position winding around vicinity of chest of the examinee and a position winding around vicinity of abdominal of the examinee, wherein a respiratory information analysis device connectable to the sheet selects one of outputs of the sensors of chest and abdominal, and wherein the respiratory information analysis means further acquires information on a variation cycle of the electric information and information on

an R-wave height cycle related to a variation cycle of R-wave height information of cardiogram based on electric potentials acquired from a cardiogram electrode and selects cycle information of either one and analyzes respiratory information in accordance with the selected cycle information.

The combination of above claimed features is not taught, suggested nor disclosed in Sackner.

For example, Applicant again respectfully submits that it appears that the operation of Sackner may be misinterpreted.

In Fig. 7 of Sackner (illustrated below), the switch SW is used for selecting the output from OSC. 1 and OSC. 2, e.g., one of the oscillators. However, the switch SW of Sackner clearly does not select one of the *sensors which are disposed in different positions*.

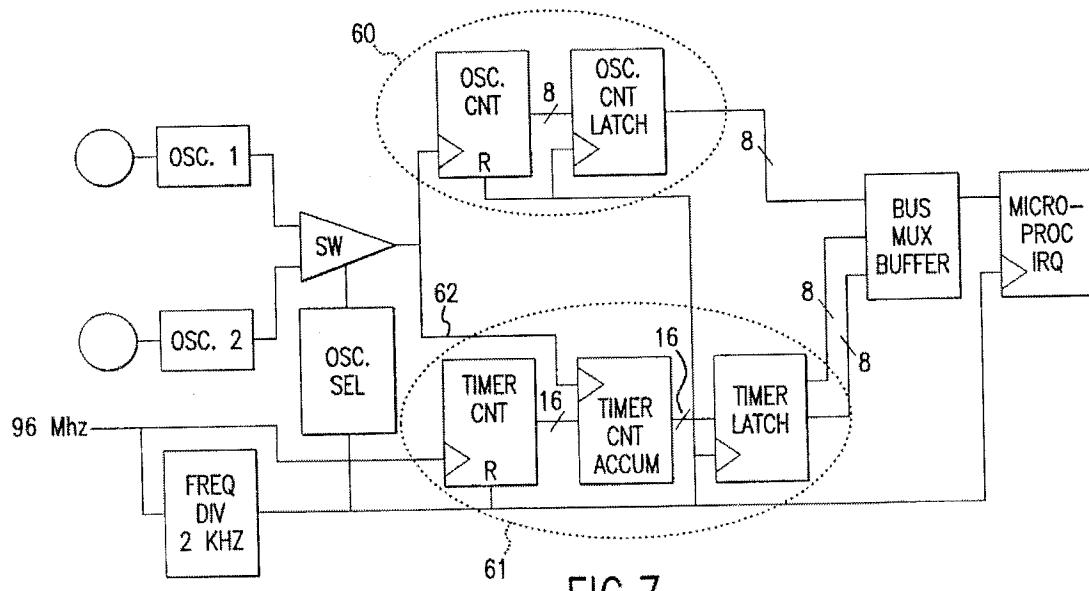


FIG.7

Sackner also fails to disclose that the respiratory information analysis device selects at least one output of at least one sensor in the chest region and the abdominal region based on the *amplitude of output of these sensors*, and the output of selected sensor is used for analysis and the output of unselected sensor is not used for analysis – the architecture of Sackner clearly does not support the operation as asserted by the Office.

Accordingly all independent claims are patentably distinguishable from the cited reference. The dependent claims are further distinguishable at least based on the above and the additional feature(s) recited therein.

A Notice of Allowance is earnestly solicited.

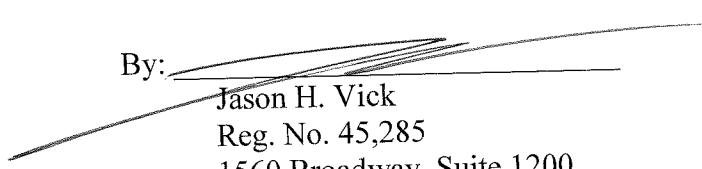
Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the telephone number listed below.

The Commissioner is hereby authorized to charge to deposit account number 19-1970 any fees under 37 CFR § 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby petitioned.

Respectfully submitted,

SHERIDAN ROSS P.C.

Date: 1-1 Jan '11

By: 

Jason H. Vick  
Reg. No. 45,285  
1560 Broadway, Suite 1200  
Denver, Colorado 80202  
Telephone: 303-863-9700